



Oktoberfest Vendor Information, Regulations and Policies

Please Keep for Your Reference (pages 1 – 3)

Interpretation of the following information and regulations is at the discretion of the City

VENDOR CONTACT

Jennie Cottrell

240-805-1507

Jennie.Cottrell@gaithersburgmd.gov

FESTIVAL DATE • LOCATION • HOURS

Sunday, October 13, 2019

Kentlands Old Farm and Downtown

Noon – 5 p.m.

DESCRIPTION

The 28th annual Oktoberfest is expected to draw 30,000 attendees to the Old Farm and Downtown areas of the Kentlands in Gaithersburg. Fall-themed activities for families, a Business Expo, artisans, Beer Garden, delicious food, and several stages of live entertainment featuring traditional Bavarian music and dancing, and local, regional and national talent will delight attendees throughout the day. Admission, shuttles and parking are free to the public.

APPLICATION DEADLINE, NOTIFICATION and SELECTION

The application deadline is **August 26, 2019**, with final selections to be made in mid- September.

All applications must include payment. Applications **postmarked after August 26, 2019 must include the \$25 LATE FEE and will only be considered if space is still available.** Late applications that do not include the late fee will not be considered.

No application postmarked after September 9, 2019 will be considered.

Applicants will receive a confirmation e-mail upon receipt of application with payment. After the application deadline, all applications will be reviewed and vendors will be selected. Notification of status will be sent by mid-September; vendors who are not accepted will receive a full refund. Festival arrival information for accepted vendors will be e-mailed approximately two weeks prior to the event. The City reserves the right to reject any application for reasons including, but not limited to, incompleteness, unreasonable requirements, failure to include payment, and failure to meet selection criteria. **Special Note:** Oktoberfest is an extremely popular Festival for vendors. Acceptance will be dependent upon space availability and the quality, appeal and variety of activities offered. **Preference is given to vendors offering engaging activities, giveaways and/or interactive displays.**

RESIDENT vs. NONRESIDENT FEES

Resident rates apply only to those individuals and businesses that reside/are located within the corporate City tax limits of Gaithersburg. A Gaithersburg mailing address does not necessarily mean the address is within the City corporate tax limits. An address look-up map is available at gaithersburgmd.gov.

FESTIVAL REGULATIONS FOR ALL PARTICIPATING VENDORS

- 1) Vendors are required to arrive, set-up and breakdown at the times and locations designated in the vendor load-in documents, communicated via e-mail prior to the Festival. Vendors are required to notify Festival organizers in advance if they unexpectedly find they are unable to attend the event.
- 2) No food items or drinks may be sold by any vendor except for Festival-approved food vendors pre-authorized by the Montgomery County Health Department.
- 3) Unauthorized alcoholic beverages, pets (with the exception of service dogs), skateboards, roller blades, bicycles, weapons (real or facsimile) and smoking / vaping are prohibited on Festival grounds.
- 4) City staff members reserve the right to have vendors remove unacceptable or inappropriate items, and to relocate or remove any vendor who does not comply with Festival regulations, is uncooperative with or disrespectful to event staff, or is disruptive to the Festival. Disruption is defined as disturbing other vendors, interfering with event programming, behaving aggressively toward event attendees or staff, damaging property, or engaging in behavior that threatens the safety of others.
- 5) City staff members reserve the right to deem ineligible for participation in future events any vendor who does not comply with the Festival regulations, is uncooperative with or disrespectful to event staff, or is disruptive to the Festival.

Oktoberfest Vendor Information and Regulations (cont.)

ANTI-HARASSMENT POLICY

The City of Gaithersburg is committed to providing a safe and welcoming environment for everyone, in which all individuals are accepted and are treated with respect and dignity, and which is free from harassment of all kinds. The City expects all vendors, sponsors, volunteers and participants of any kind in City programs and special events to treat each other and the public with courtesy and respect. The City has adopted a zero-tolerance policy and will not tolerate any level of harassment by program participants of any type.

RAIN/CANCELTION/REFUND POLICY

This is an outdoor, RAIN or SHINE event. Be prepared to cover and secure your own property in the event of rain or wind. Staff will be unable to assist with this. If the City cancels the event due to public safety concerns such as severe weather, a refund will be issued. Otherwise, there will be **no refunds after September 27, 2019**. Refunds due to cancelation by the vendor will include a \$10 processing fee.

ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

The City of Gaithersburg is committed to making reasonable accessibility accommodations as required by the Americans with Disabilities Act and other applicable law. Your request for accommodations will in no way affect your acceptance status. **All requests must be made no later than September 27, 2019.**

SET-UP / BREAK-DOWN

Load-in instructions, passes and directions will be e-mailed approximately two weeks before the Festival. You will be assigned an arrival time between 8 and 10:30 a.m. **Only one vehicle per vendor will receive a pass to enter the Festival area to unload.**

Please contact Jennie Cottrell if you need additional passes. Vendors must **unload quickly, move vehicle to assigned parking, and then return to set up.** We suggest that you bring someone to stay with your equipment and merchandise while you move your vehicle. Booths must be dismantled promptly at 5 p.m., **and not before.** Event staff are not available to assist with your set-up or break-down. **Streets will close to all vendors at 11 a.m.; vehicles will not be allowed to re-enter the Festival area at the end of the event until police open the roads.**

VENDOR SPACE AND SPACE ASSIGNMENT

A single vendor space is 10'x10'. Some vendor categories are provided with canopies; no vendors are provided with tables and chairs. Please review the vendor category descriptions for details. **All participants must provide and be responsible for their own table, chairs, tablecloth, displays, decorations, and staff.** Vendor equipment and materials must remain within assigned space and may not obstruct the view of, block, or interfere with neighboring exhibits. **Vendors may not select their own placement, and must set up in the space designated for them by marker or a Festival staff member.**

SALES TAX

The State of Maryland requires any person selling used or new products to charge 6% sales tax. If you do not have a Maryland Tax ID # you DO NOT NEED TO APPLY FOR ONE. Vendor names will be submitted to the Maryland State Comptroller's Office and a temporary Tax ID # will be automatically assigned to you by the State after the Festival.

PARKING

Parking is not within sight of booth locations and may require a shuttle bus ride. Booth staff arriving later in the day should take the shuttle from the Festival parking lot.

TRASH / ELECTRICITY / WATER

No electricity or water is available. Vendors must take ALL of their trash with them. Vendors who do not adhere to this regulation will be subject to a fine. Use of a generator, if permitted in your area, must be approved by Festival staff in advance.

PHOTOS

Photographs submitted with application may be used to promote the Festival. Also, please note that photographs taken during the event may be used by the City of Gaithersburg for promotional purposes.

CITY RESOLUTION # R-73-05 / SPECIAL EVENTS

RESOLUTION OF THE MAYOR AND CITY COUNCIL AMENDING R- 30 -92, THE POLICY SETTING FORTH STANDARDS FOR EXHIBITORS, VENDORS, ENTERTAINERS, AND SOLICITORS AT CITY- SPONSORED EVENTS

WHEREAS, the City of Gaithersburg sponsors a myriad of special programs, festivals, and events throughout the year which are well attended by citizens of all ages; and

WHEREAS, exhibitors, vendors, entertainers and solicitors are invited to participate in these community functions; and

WHEREAS, these events are held on public property and /or within and along public ways necessitating the closing of streets and specific areas to ensure that all events will be carried out in a manner which protects the public health, safety and welfare of visitors thereto; and

WHEREAS, the City of Gaithersburg established a standardized policy, as directed by Resolution No. R-30-92, for exhibitors, vendors, entertainers and solicitors to participate on the premises of City-sponsored events; and

WHEREAS, the standardized policy was established to ensure peaceful assembly, to protect persons and property, to exercise efficient control of crowds and to offer equitable and uniform treatment of exhibitors, vendors, entertainers and solicitors; and

WHEREAS, the Mayor and City Council have determined that it is in the best interest of the community that amendments to the policy be made from time to time in order to improve the quality of the City's special programs, festivals and events:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Gaithersburg, that amendments be made to Resolution No. R- 30 -02, establishing a standardized policy for each exhibitor, vendor, entertainer and solicitor, participating in a City-sponsored event be and they hereby are as follows:

1. The City will not permit any person or organization to solicit and /or distribute information or goods or offer food, goods or services for sale or entertain within any public right-of-way or public property associated with a City-sponsored event unless a completed application to participate in the specific event has been filed with the City of Gaithersburg and approved by the City Manager or his designee.
2. The City will accept applications prior to the application deadline and reserves the right to reject any application which is incomplete or where the applicant's proposed activity during the event will disrupt other exhibitors or the peaceful assembly of attendees or damage or injure persons or property, or interfere with the planned special events, or is rejected for failure to meet stated selection criteria.
3. The City reserves the right to establish and enforce written rules and regulations as to other criteria which City staff deems pertinent to carry out a special public event or exhibit, provided such rules, regulations and criteria are approved by the City Manager or his designee.
4. The City shall have the right to remove any exhibitor or exhibit or other participant from the event limits who does not comply with the aforementioned requirements or the terms set forth in the approved application.
5. If the City determines to remove an exhibitor or other participant from the event limits pursuant to its authority under paragraph 4 of this Resolution, notification will be made in person by a City staff member. If exhibitor or other participant disregards the staff member's request to leave the event, law enforcement will be contacted to remove the exhibitor or participant. It shall be unlawful for any person participating in a City event to fail to obey a law enforcement request to leave the event area. The area reserved for a City event will be clearly defined and available upon request at the time an exhibitor or participant is requested to leave the event.

ADOPTED by the City Council on the 1st day of August, 2005.

SIDNEY A. KATZ, MAYOR and President of the Council

DAVID B. HUMPTON, CITY MANAGER

2019 OKTOBERFEST VENDOR APPLICATION

Please submit this portion (pages 4 – 6) with signature and payment

APPLICATIONS POSTMARKED AFTER AUGUST 26 MUST INCLUDE A **\$25 LATE FEE**.

Incomplete applications and applications postmarked after September 9, 2019 will not be considered.

NOTE: Submitting an application with payment does not guarantee acceptance.

Please select the appropriate category for your participation, listed on the following two pages, and complete the information required for that category. **All vendors must bring their own table and chairs. If a canopy is not provided for vendors in your category, you are required to bring one.**

☐ **Merchant/Business** (local businesses, professionals and merchants)

PROVIDED: 10' x 10' space including canopy. Vendor must bring own tables and chairs.

___ \$150 Resident

___ \$225 Nonresident

___ # of 10'x10' spaces required

What engaging activity or special promotion will your organization offer?

You will receive notice if your activity is approved when/if your application is accepted.

☐ Will your organization be distributing handouts? Yes___ No___ (If yes, a sample must be included with this application)

☐ Will your organization be selling anything? Yes___ No___ If yes, what? _____

**Please include pictures of any items you are planning to sell.*

☐ **Artist/Crafter** (Craft products **handcrafted by the vendor** submitting application)

PROVIDED: 10'x10' space including canopy. Vendor must bring own tables and chairs.

___ \$125 Resident

___ \$150 Nonresident

___ # of 10'x10' spaces required

Please include at least 3 photographs representative of the items you will be selling. Include a self-addressed stamped envelope if you would like photographs returned after the event.

Describe all types of items you wish to sell. Be specific.

☐ **Commercial Crafter** (Craft products **NOT** crafted by vendor submitting application)

PROVIDED: 10'x10' space including canopy. Vendor must bring own tables and chairs.

___ \$150 Resident

___ \$175 Nonresident

___ # of 10'x10' spaces required

Please include at least 3 photographs representative of the items you will be selling. Include a self-addressed stamped envelope if you would like photographs returned after the event.

Describe all types of items you intend to sell. Be specific.

☐ **Nonprofit Organization** *(certificate of nonprofit status must be submitted with this application)*

PROVIDED: 10'x10' space only. Vendor must bring own canopy, tables and chairs.

____ \$40 Resident

____ \$65 Nonresident

____ # of 10'x10' spaces required

What does your nonprofit organization promote? Be specific: _____

What activity or special promotion will your organization offer? _____

You will receive notice if your activity is approved when/if your application is accepted.

Will your organization be distributing handouts? Yes__ No__ (If yes, a sample must be included with this application)

Will your organization be selling anything? Yes__ No__ If yes, what? _____

Please include photographs of any items you plan to sell.

REQUEST FOR ADA ACCOMMODATIONS

The City of Gaithersburg is committed to making reasonable accommodations as required by the Americans with Disabilities Act and other applicable law. Your request for accommodations will in no way affect your acceptance status. Please describe any specific accommodations you are requesting based on physical, psychiatric, behavioral or other concerns. All requests for accommodations must be made by September 27, 2019 to allow the City sufficient time to consider the request.

ALL APPLICANTS

I authorize my payment to be processed and deposited upon receipt.

I understand that if I am not accepted into the Festival, a full refund will be issued.

I certify that I have read, fully understand, and agree to comply with the Oktoberfest Vendor Information and Regulations (pages 1 – 3), and that the information I have provided in this application is true and complete. I will be personally responsible for ensuring that the use of my space is carried out in conformance with this application. I further understand that if I intend to sell anything at the Festival, I am required to charge 6% sales tax and I will be assigned a temporary Maryland State Tax ID# by the MD State Comptroller's Office after the event, if needed.

As a participant in the 2019 Oktoberfest, I agree that I, or anyone entitled to act on my behalf, together with the organization I represent (if any), hereby waive and release the City of Gaithersburg and the organizers of the Festival, plus all event partners, sponsors and volunteers, and their representatives, successors and assigns, from all claims and liabilities of any kind arising out of my participation in the Festival, even if that liability may arise out of negligence or carelessness on the part of the persons named in this waiver.

Participation in Oktoberfest by groups or organizations other than City of Gaithersburg officials, departments or committees does not constitute City of Gaithersburg endorsement.

SIGNATURE _____

DATE _____

Please fill out contact and payment information on next page

CONTACT and PAYMENT INFORMATION

ORGANIZATION/BUSINESS NAME (as you would like it to appear on marketing materials):

CONTACT PERSON: _____ E-MAIL: _____

FULL BUSINESS ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE #: _____ DAY-OF-FESTIVAL CELL #: _____

WEBSITE/SOCIAL MEDIA URL: _____

All payments will be processed at the time of the application. Applicants who are not selected will receive a full refund.

If submitting application via e-mail, please do not fill in the credit card number. Instead, print and sign your name, e-mail the application, and call Jennie Cottrell at 240-805-1507 to provide a credit card number by phone.

VENDOR PLEASE COMPLETE:

of spaces X Space Fee + \$25 Late Fee (req. if postmarked after 8/26) = Total fee
_____ X \$ _____ + _____ = \$ _____

Total Paid: \$ _____ ☐ Cash ☐ Check # _____

Please make checks payable to: **City of Gaithersburg**

☐ CREDIT: Circle one: VISA / MC / DISC / AMEX # _____

Exp. _____ / _____

Signature (required): _____

Print Name (required): _____

(Refunds due to cancelation by the vendor will result in a processing fee of \$10. No refunds will be given after September 27, 2019.)

E-MAIL SCANNED APPLICATION AND REQUIRED ATTACHMENTS TO:

Jennie Cottrell

Jennie.Cottrell@gaithersburgmd.gov

OR

MAIL COMPLETED APPLICATION, AND ALL REQUIRED MATERIALS TO:

Oktoberfest Vendor

Attn: Jennie Cottrell

506 S. Frederick Ave.

Gaithersburg, MD 20877

FOR OFFICE USE ONLY

<input type="checkbox"/> \$150 Merchant/Commercial Business	<input type="checkbox"/> \$225 Merchant/Commercial Business	Initials: Date Proc: Initials: # of Spaces: Conf. Sent: A/R Sent:
<input type="checkbox"/> \$150 Commercial Crafter	<input type="checkbox"/> \$175 Commercial Crafter	
<input type="checkbox"/> \$125 Artist/Crafter	<input type="checkbox"/> \$150 Artist/Crafter	
<input type="checkbox"/> \$40 Nonprofit	<input type="checkbox"/> \$65 Nonprofit	
<input type="checkbox"/> \$25 Late Fee	<input type="checkbox"/> \$ _____ Other	